

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT TACOMA

STEPHAN DOUGLAS KAUFMAN.

Petitioner,

v.

ELDON VAIL,

Respondent.

Case No. C10-5445RJB/JRC

ORDER HOLDING THE PETITION IN  
ABEYANCE, DIRECTING COUNSEL TO  
FILE A MOTION TO RE-OPEN THE  
CASE, AND ADMINISTRATIVELY  
CLOSING THE FILE

The underlying Petition for a Writ of Habeas Corpus pursuant to 28 U.S.C. § 2254 has been referred to United States Magistrate Judge J. Richard Creatura pursuant to 28 U.S.C. § 636(b) (1) (A) and (B), and Local Magistrate Judge's Rule MJR3 and MJR4. Petitioner is represented by counsel. The petition was filed only days before the federal one-year statute of limitations would have run.

Counsel explains that he filed the petition to preserve the filing date. He has filed a personal restraint petition in state court to attempt to exhaust a number of claims. He asks this court to hold this petition in abeyance pending the conclusion of the personal restraint petition proceedings. (Dkt. # 3).

The clerk is directed to administratively close this action.

*J. M. Ward*

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